

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 266 - SB 398

April 9, 2015

SUMMARY OF BILL: Requires a student to be immediately suspended if a student is found delinquent for conduct or an act that would constitute a felony if the student was an adult. The student shall have 10 days from the date of their suspension to request a hearing. Prohibits a student that is suspended under this act from being readmitted to school unless the principal of the school from which the student was suspended and the director of schools agree that readmission would not threaten the safety of other students and faculty; would not adversely affect the learning environment; and is in the best interests of the suspended student. If the principal and director of schools do not agree to readmit a student to the school, then the student shall be expelled for one year.

ESTIMATED FISCAL IMPACT:

Increase Local Expenditures – Exceeds \$2,600,000*

Assumptions:

- Based on information from the Department of Education, there are at least 20,000 students each year that are referred to the juvenile court for offenses that would be a felony if they were an adult.
- The number of students that will request a hearing is unknown; however, it is estimated that at least 10,000 students each year would request a hearing.
- Based on information from the Department of Education, each hearing is estimated to cost at least \$250 for a court reporter and attorney fees.
- The mandatory and recurring increase in local expenditures is estimated to exceed \$2,500,000 ($\$10,000 \times \250).
- The number of students that will be readmitted to the school is unknown. It is assumed that each local education agency will readmit students to schools, upon appeal, under the same policies that are currently in place.
- If more students are suspended for one year as a result of this bill than under current LEA policies, more alternative school facilities will be required by LEAs. The cost is unknown, but reasonably estimated to exceed \$100,000. Such expenses would be for facility rental; additional teachers in alternative school settings; and curriculum materials.
- The total mandatory and recurring increase in local expenditures as a result of the bill is estimated to exceed \$2,600,000 ($\$2,500,000 + \$100,000$).

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink, appearing to read "Jeffrey L. Spalding". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Spalding" clearly distinguishable.

Jeffrey L. Spalding, Executive Director

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